

IN THE DISTRICT COURT FOR THE UNITED STATES  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

**V.**

## JUAN FUNES

CR. NO. 11-080S

### STIPULATION REGARDING MODIFICATION OF SENTENCE

IT IS HEREBY STIPULATED AND AGREED, by and between the parties acting through their respective counsel, that:

1. Defendant has submitted a request for modification of Defendant's sentence pursuant to 18 U.S.C. § 3582(c)(2).

2. Defendant's original guideline calculation was as follows:

Total Offense Level 25Criminal History Category III

70 to 87 months imprisonment

4 to 5 years supervised release on Count 1

2 to 3 years supervised release on Count 2

\$ 10,000 to \$ 2,000,000 fine.

3. The Court sentenced the Defendant on October 28, 2011 to a total of 70 months imprisonment (concurrent 70 month sentences on Counts 1 and 2).

4. Defendant is eligible for a modification of his sentence pursuant to 18 U.S.C. § 3582(c), USSG § 1B1.10, and Amendments 782 and 788 to the United States Sentencing Commission Guidelines.

5. Defendant's revised guideline calculation is as follows:

Total Offense Level 23

Criminal History Category III

60 to 71 months imprisonment (restricted by minimum mandatory)

4 to 5 years supervised release on Count 1

3 years supervised release on Count 2

\$ 10,000 to \$ 2,000,000 fine.

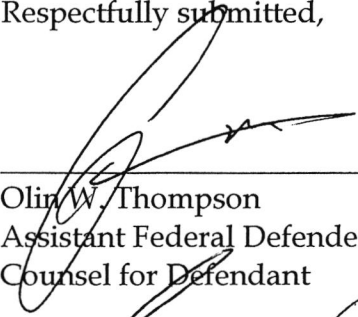
6. Based upon the foregoing, a total sentence of 60 months imprisonment (60 months each on Counts 1 and 2, to run concurrently) or time served as of November 1, 2015, whichever is greater, is appropriate in this matter.

7. The remainder of defendant's judgment shall remain unchanged.

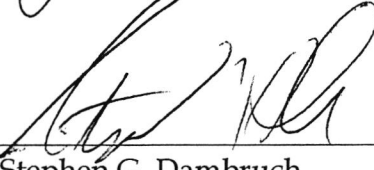
8. Defendant waives and does not request a hearing in this matter pursuant to Fed. R. Crim. P. 43 and 18 U.S.C. § 3582(c)(2).

9. Accordingly, an amended judgment may be entered by the Court in accordance with the terms of this stipulation and to be effective on November 1, 2015, pursuant to 18 U.S.C. § 3582(c), USSG § 1B1.10, and Amendments 782 and 788 to the United States Sentencing Commission Guidelines.

Respectfully submitted,

  
\_\_\_\_\_  
Olin W. Thompson  
Assistant Federal Defender  
Counsel for Defendant

4/10/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen G. Dambruch  
First Assistant U.S. Attorney

04/13/2015  
\_\_\_\_\_  
Date